



FOR OFFICE USE
Accounting Code: ZC

**CITY OF SUGAR LAND
PLANNING DEPARTMENT**

**SPECIAL EXCEPTION REQUEST APPLICATION
ZONING BOARD OF ADJUSTMENT**

Please fill out the following information & return your submittal to the Planning Department

APPLICANT: _____
Address: _____
Company: _____
Phone: _____
Fax: _____
Email: _____

OWNER / AGENT:
Contact / Company: _____
Address: _____
Phone: _____
Fax: _____
Email: _____

Please provide the following additional information as required under the Development Code (Chapter 2, Article I, Part 6):

Address and legal description of the property: _____

Date the property became subject to the city's zoning or extraterritorial jurisdiction: _____

Date the property was annexed into the City: _____

This is to certify that the information on this form is complete, true, and correct and the undersigned is authorized to make this application. (Must be signed by property owner)

X _____ **Date:** _____
Signature of Applicant

SUBMITTAL REQUIREMENTS:

- **THREE (3) copies of Application**
- **Submittal Fee: \$500 (non-refundable)**
- **Three (3) copies of site plan / plot plan (scaled/dimensioned drawing showing location of proposed building) at 24"x36" and One (1) copy at 11"x17"**
- **Address of property owners located within 200 feet**
- **Copy of the recorded plat of the property**
- **Copy of the recorded covenants and restrictions for the property**

DEVELOPMENT CODE CRITERIA: CHAPTER 2, ARTICLE I, PART 6

DECISION-MAKING AUTHORITY: Zoning Board of Adjustment (final determination)
SUBMITTED TO: Planning Department

RELATED REQUIREMENTS: Public Hearing and property owner notification within 200 feet radius of the property in question. Applicant to provide copy of recorded plat and /or any recorded Covenants, Conditions, and Restrictions (CCR's) that established setbacks prior to annexation of the property into the corporate limits.

APPLICABILITY: Corporate Limits for residential lots that were established prior to annexation.

Report of Director.

The Director will review the application and information submitted and file a report with the Board, a copy of which will be given to the applicant at least five business days before the public hearing.

Public Hearing.

The Director will schedule a public hearing on a completed application for a Special Exception before the Board. At least ten days prior to the hearing, written notice of the time and place of the hearing will be given to the applicant and to the owners of adjoining properties within 200 feet.

Board Decision.

After the public hearing, the Board may, by concurrence of 75 percent of its members, grant a Special Exception to a residential setback required by Chapter 2 if the Board finds that:

- (1) The latest recorded plat of the property was approved prior to being annexed into the City;
 - (2) The latest recorded plat of the property establishes a setback or other recorded restriction that results in a setback that is less restrictive than the setback required by chapter 2;
 - (3) Granting the Special Exception will not establish a setback that is less restrictive than the setback established by the latest approved plat or other recorded restriction; and
 - (4) Granting the Special Exception will not be detrimental to the public welfare or injurious to the property or improvements in the district or neighborhood in which the property is located.
- (b) To ensure that the granting of a special Exception will not be detrimental to the public welfare or injurious to the property or improvements in the district or neighborhood in which the property is located, the Board may as part of its decision to grant a Special Exception:
- (1) Impose reasonable conditions or restrictions; and
 - (2) Grant a setback between the setback requested and the setback currently established in the residential zoning district.